

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Olena Kalichenko,

Case No. 20-cv-1646 (WMW/BRT)

Plaintiff,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

Nanette Barnes, Honken, SIS department,
DOJ Washington, and M. Starr,

Defendants.

Before the Court is the December 7, 2021 Report and Recommendation (R&R) of United States Magistrate Judge Becky R. Thorson. (Dkt. 70.) No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The December 7, 2021 R&R, (Dkt. 70), is **ADOPTED**.
2. Defendants' motion to dismiss or, in the alternative, for summary judgment, (Dkt. 50), is **GRANTED**.
3. Plaintiff's request for a temporary restraining order, (Dkt. 42), is **DENIED AS MOOT**.

4. Plaintiff's amended complaint, (Dkt. 39), is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 2, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge